

REMARKS

Claims 1 and 3, 4, 6, 7, 9, 10 and 12-14 are pending in the application and stand rejected. Claims 1, 3 and 13 are amended. No new matter is added. Claims 2, 5, 8 and 11 are canceled. In light of the aforementioned amendments and following remarks, Applicant earnestly solicits favorable consideration.

Applicant has incorporated the subject matter of claim 2 into independent claim 1. Support for the added feature of “an entrainment effect” (replacing a pull-in effect) of claim 1, may be found throughout the specification, including paragraphs [0011], [0013] and [0014].

Claim Rejections - 35 U.S.C. § 101

Claim 1 stands rejected under 35 U.S.C. § 101 as allegedly failing to achieve the required status of having real world value.

Applicant respectfully disagrees with the Examiner’s rejection. Claim 1 recites statutory subject matter under 35 U.S.C. § 101, namely a “machine.” Specifically, claim 1 recites a “controller,” a “module,” and further includes a “controlled object.” Furthermore, Applicant has amended claim 1 to include the subject matter of claim 2. Thus the “controlled object” vibrates at a particular frequency. This is a useful concrete and tangible result.

Applicant respectfully submits that the above recited features satisfy the statute under 35 U.S.C. § 101 as being a “new and useful machine.”

Application No.: 10/588,770
Art Unit: 2121

Amendment under 37 CFR §1.111
Attorney Docket No.: 062744

Claim Rejections - 35 U.S.C. § 112

Claims 1, 3, 4, 6, 7, 9, 10 and 12-14 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Applicant has amended claims 1, 3 and 13. Applicant respectfully submits the amendments made to the claims address the Examiner's rejection. As such, Applicant respectfully asks that the rejection be withdrawn.

In view of the aforementioned amendments and accompanying remarks, Applicant submits that the claims, as herein amended, are in condition for allowance. Applicant requests such action at an early date.

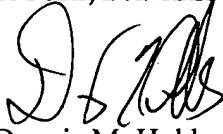
If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicant's undersigned attorney to arrange for an interview to expedite the disposition of this case.

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If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,
WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

A handwritten signature in black ink, appearing to read 'D. Hubbs', is positioned above the printed name of the attorney.

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